

Some of the most material Errors and Omissions in the late Printed
Tryals of the Romish Priests at the Old-Baily, Jan. 17. 1679.

To the READER.

Finding in the humour of this Age, nothing more frequent than (in Printing of Tryals) wilful or ignorant mistakes and omissions; witness Mr. Reading's Tryal, (and the rest) where Mr. Just. Wild told Bedloe, God forgive him, he was perjur'd; by Bedloe's Interest, that was thought fit to be omitted in his Printed Tryal: I thought it my Duty to rectifie the Mistakes in these last Printed Tryals, especially as to what concerns Mr. Anderson, having it from an impartial Protestant Pen, who stood by him as he spake it. Those Scriblers who (as my L. C. J. hath well observed) write for Bread, without any respect to Truth, have only this to say for their Mistakes, That Mr. Anderson, by reason of his weakness, might easily have been mis-understood. Well, admit it; But why Bedloe's open Perjury about Mr. Anderson's Father omitted? and why Mr. Anderson's Appeal to Capt. Rich. if that was not true what he urged against Dangerfield? with many other material Omissions, as in this Supplement you will see; why these passages, I say, were omitted, truly I cannot tell: unless Dangerfield had the same Influence over those Scriblers, or the Printer, that Bedloe had in Printing Mr. Reading's Tryal; or else foreseeing that his most Gracious Majesty would either Pardon them, or Reprive them, thought they need not prove so sincere in the relation of what the Prisoners said for themselves; but it proves otherwise, and their malice reflects on none but themselves; for, Magna est veritas & praevalabit.

Some material Errors and Omissions, &c.

Page 6. line 7. *Anderson.* My Lord, for my staying in the Kingdom, I had the Kings expresse Command, and an Order from the Council-Board: In the year 71. they ordered Mr. Peter Welfs, and my self, with four or five others who had in writing asserted His Majesties just Rights over all his Subjects, whether Protestant, or Papist, against those so frequently imputed Usurpations of the Court of Rome. After this Plot was discovered, I came to the King, being afraid of being involv'd in the general Calamity, and said to him, *Sir, I desire to know what to do?*

P. 16. l. 23. *Anderson.* My Lord, I that am but a poor little Individuum, who am born with an innate and implicate Obedience to my King, pray judge whether it lie in my power to dispute with Him and his Council, whether they can legally do this or no? or that I ought to obey the Kings Command. My Lord, I am put upon a hard Dilemma; if I (notwithstanding His Majesties Command to the contrary) go out of the Kingdom, then the severe imputation upon us, is urged against me, That I have, with my Religion, renounced my Natural Allegiance: And if I stay, then by the Law, (as you tell me) I forfeit my Life.

P. 8. l. 31. *Anderson.* No, I won't. Pray do not interrupt me; I perceive you have a Pick against my Life, and it may be I am as ready to give it, as you are to desire it; I wish that all the punishments of Hell and Damnation may come upon me, if ever I open'd my mouth to this Rogue for one farthing, or about any such business in the World.

P. 9. l. 11. *Anderson.* But my Lord, this one thing I have to say against this Rogue; there is a Statute, made since his Majesties Happy Restauration, which judges what shall be Treason during his Majesties Life: And after enumerating the Crimes, and directing that the Offender shall be convicted by the Oaths of two Lawful, adds, and Credible Witnesses: as if the prudence of our Legislators, which brings good out of evil, and measures the Subjects future safety, by past practices, judges that clause necessary, and Credible.

P. 16. l. 37. *L. C. J.* You must not do thus, abuse persons with words, without proof.

Anderson. What, to prove it is day?

Mr. Just. Pemb. He must not be suffer'd so to do.

Anderson. Why here is Captain Richardson, (taking him at the same time by the shoulders) knows what I say to be true: Come speak, you have been familiarly acquainted with that Rogue, (pointing at Dangerfield.) [Capt. Richardson laughing, I must not witness.] My Lord, I will do thus no more, indulge a little to my innocency and infirmity.

Mr. Just. Pemb. You don't seem to have so much infirmity upon you.

Anderson. My Lord, I will produce that worthy Gentleman Col. Mansell, whose innocent

of red Bloud was designed to be shed by that Villain; who stood qualified then (as he doth now) with that magnificent Title of the *Kings Evidence*; but as soon as Colonel *Mansell* urged, that he was Pillory'd twice, &c. our worshipful *Kings Evidence* was clapt up, and Col. *Mansell* left at liberty.

P. 10. l. 6. *Anderson*. 'Tis very true, I did it; but, my Lord, I will shew you, Mafs is no proof of a Priest: for, 1. the Statute makes a difference between saying Mafs, and being a Priest; in punishing Priests, with Death; but saying of Mafs, with a pecuniary mulct of 200 Marks, and a years Imprisonment.

P. 16. l. 29. *Anderson*. I understand by the Laws of *England*, that I am tryed upon a Statute, which makes Priesthood a Crime. Now I will ask Mr. *Oates* a Question; Mr. *Oates*, can you prove that I received Orders from the See of *Rome*? You are to prove by this Statute three things against me: I am tryed upon a Penal Statute, which ought to be proved strictly against me, and construed most favourably on behalf of the Prisoner.

P. 17. l. 13. *Anderson*. My Lord, how comes it to pass that I did not come here in a Yellow Coat; and was not arraigned for a Fool, and not for a Traytor? if I am a Priest, that I should tell him I was such an one?

P. 16. l. 23. Strictly and in favour of the Prisoner.

P. 16. l. 29. Mr. *Bedloe*. He is a Priest, and an *Englisman*, if his Mother be honest, and he honestly born; for he is Mr. *Anderson's* Son of *Oxfordshire*, a Gentleman of 2 or 300 l. a year; I know him and his Father very well.

Anderson. My Lord, could I but apprehend that I lay under so great a Guilt, as to have been acquainted with so great a Rogue, as this Fellow is, I would have been my own Executioner, and not have expected my Sentence at this Bar.

L. C. J. Do you know him well?

Mr. *Bedloe*. Very well, both him and his Father; his Father is an *Oxfordshire* Gentleman.

Anderson. Now I think I shall prove the Rogue perjur'd: Is my Lord Chief Baron in the Court? Court. Yes, he is.

Anderson. Why then my Father has the honour to be well known to his Lordship, who knows this to be false.

L. Ch. Bar. No, no, Mr. *Bedloe*, he is a Gentleman's Son of Quality in *Lincolnshire*.

L. C. J. You are mistaken, you are mistaken, his Father is a *Lincolnshire* Gentleman.

Anderson. And yet this Rogue is upon his Oath; but indeed all his Life is full of such mistakes.

Mr. *Bedloe*. I don't know, my Lord Privy Seal's Nephew told me so. [Note Mr. *Bedloe's* manifest Perjury.]

P. 12. l. 34. *Anderson*. My Lord Chief Justice, I will bring Witnesses to prove, that I did never say Mafs at *Wild-house*, nor went to the Chappel; for some (forsooth) would needs have me to have been Excommunicated for writing for the Kings Temporal Jurisdiction over all his Subjects, (independent of the Pope) as appears by a Letter of the Bishop of *London* on my behalf, to Sir *Clement Armiger*.

P. 13. l. 26. *Anderson*. Nor would I tell a Lye to take away the Life of the greatest Villain upon Earth; No not that Rogue, (pointing at *Dangerfield* :) but my Lord, I protest, &c.

P. 14. l. 2. *Anderson*. I suppose the Gentlemen of the Jury being apprized of these my Exceptions to these Witnesses, notwithstanding give credit to them, whom perhaps they would not trust for 6 d. in their Shops, and make themselves their Compurgators; & as in waging Law, do take it upon their Conscience, that what these Rogues say is true.

P. 17. l. 12. *Anderson*. That the Clerk does at Mafs, he gives Absolution.

Much more Mr. *Anderson* would have said, if his great indisposition of health had not hindered him; or Mr. Justice *Pemberton*, by his too frequent (as vehement) interruptions would have permitted him.

P. 20. l. 7. *Corker*. I would not tell a lye, though I should thereby save my life; and I do again protest before God and the Court, I never in my life said Mafs, or heard Confessions at *Somerset-house* Chappel, nor at Mr. *Paston's* in *Duke-street*. And as to the *Savoy*, seeing I will be sincere, I shall only say, that as my denial will not clear me, so I beg I may not be my own Accuser. At which several persons gave a Hum, as approving of his sincerity.

L. C. J. Here is one hath sworn it.

Corker. 'Tis only *Oates*, my Lord.

P. 34. l. 20. Mr. *Prance*. I know he is a Priest, and have heard him say Mafs at the *Venetian Ambassador's*, and at Mr. *Paston's*, and he went by the Name of *Johnfon*.

Recorder. Did you go by that Name?

Parry.

Parry. No, I never went in my life but by my own Name *Parry*, that is my Name, whatever he says, and I am not ashamed of it.

P. 34. l. 46. *Parry.* I have no reason to forget my self, for I never did any such thing, for I never brought or sold to him any Chalice, or any such thing, and besides suppose I had, that doth not argue that I am a Priest.

L. C. 7. No, but if he were so holy as to touch the Chalice, he would be a Priest.

P. 35. l. 5. *Parry.* I was never in my life at the *Venetian Ambassador's*, nor at Mr. *Parson's*, nor at *Wild-house*.

P. 35. l. 8. L. C. 7. Can you swear that he is the man? *Bedloe.* No.

L. C. 7. Then set him aside.

P. 36. l. 1. Mr. *Prance.* Yes; and I heard him confess himself to be a Priest.

P. 36. l. 3. *Parry.* 'Tis false.

P. 35. l. 46. *Parry.* I know not Mr. *Johnson*, my Name is *Parry*; I hope it is not just I should be hang'd for another person.

P. 36. l. 12. And then for the private Room, what Room of the House was it? (*This Mr. Parry said, in Answer to Dr. Oates's Testimony about the private Room in Wild-house.*)

P. 37. l. 46. *Jacob.* No, we did.

P. 38. l. 4. *Parry.* I would ask Mr. *Oates*, and desire him to answer me to it, what he did depose against me before my Lord *Shaftsbury*, viz. that he heard me say Mass in *Wild Chappel*, and there heard Mr. *Collins's* Confession, and now he says, it was in a private Room; now I have it to shew that I did not Officiate there, nor frequent the House.

P. ib. l. 9. L. C. 7. Who is it that will prove that you did not come to the House?

Parry. The Ambassador's Servants.

P. 38 l. 49 *Parry.* He is one of the Servants to my Lord *Egmond*, and he lived in the House, and he knows that by his Master's Order all his Domesticks were examined, and all protested they neither knew nor saw me ever in *Wild-house*; all which I have under his Hand and Seal to shew, (and so pinck't it out of his Pocket.)

L. C. 7. It signifies nothing.

P. 39. l. 49. *Starkey.* He tells me of Priests Habits; what are they, Sir?

L. C. B. What Habit had he on?

Dr. Oates. A Thing about his Neck, and a Surplice, and a Thing about his Arm; he had a Surplice girt about him.

Starkey. I know you not; and I perceive you neither know what a Priest's Habit is, nor the difference between his Habit and his Ornaments. A Priest's Habit is a Cassock down to the ground, and a side Cloak; the Ornaments of a Priest are not a Surplice, (as *Oates* says) but an Albe that falls to the ground, and other things besides that.

P. 40. l. 6. *Starkey.* And how did you know that I said Mass? Did you know that I took Orders? For if I took no Orders, it was no Mass; for it is the Priest makes the Mass, and not the Mass the Priest, and then if I were no Priest, it could be no Mass.

Mr. *J. Pemberton.* That is a pretty Argument indeed: Do any but Priests say Mass?

Starkey. I can bring instance of a Gentleman in this Town, a private Lay-man, who said Mass about this Town, and he was a Protestant, and at last he stole the Chalice, (his Name was *Gardner*.)

Mr. *J. Pemberton.* He did well, did he not? Is that your use?

Starkey. Yes, with such Priests as he.

P. 40. l. 24. Mr. *Prance.* My Lord, I heard him say Mass at my Lady *Somerset's* in *Lincoln's Inn Fields*, and at Mr. *Duncomb's*, that taught School in *Princes-street*.

Starkey. As I hope for mercy from Almighty God, I was never there in all my life (except Pantly) her House in *Gloucestershire*.

P. 16. l. 33. Mr. *Prance.* Did you know one Mr. *Duncomb* that is dead? *Starkey.* Yes.

Mr. *Prance.* Well, I heard you say Mass at his House.

Starkey. My Lord, I was never at Mr. *Duncomb's* in my life, but at 3 or 4 a Clock in the afternoon, and if I said Mass there, it was over a Pot of Ale.

Mr. *Prance.* I have heard him say he said Mass in the King's Army.

Starkey. I know neither of these two Fellows.

Mr. *Recorder.* Come, I would fain see whether you Priests and Jesuits can speak one word of truth or no: Come, Mr. *Starkey*, did you ever say Mass in the Army?

Starkey. I never did: But pray give me leave to speak; I appeared for the King, when he had not above 500 men in appearance for him; I am but a younger Brother, (second Brother to *John Starkey* of *Darley* in the County of *Chester* Esq;) and yet with an Annuity of seven score pounds a year, which I bought, and other Moneys which I had, I spent above 4000 l. in the King's Service, (which I bled for before I had it) for I got it in another Monarch's Service; I lost my Leg for him by a Cannon-shot, and so spent my Estate to that degree, that that day when

when I received my Sentence of Banishment, I had but three half Crowns in the World, which were given me that same morning by two Friends.

P. 40. l. 41. *Starkey*. Pray, my Lord, give me leave to add something more: I was banish'd for 14 years into *France*, because I refus'd to take an Engagement never to bear Arms again for the King; I did discover to this King a Plot design'd against his Life, State, and Government, I suffer to this day for it; and I delivered (into his own Hand) 11 Articles of High-Treason against the Plotters and their Abettors.

P. 41. l. 3. *L. C. B.* You may be a Priest for all that.

Starkey. But, my Lord, by the Civil Law it is a Conclusion, that although a man be a Traitor, and in the same Plot, he is to be indemnified for discovering the Conspiracy against his Prince; much more for discovering another, (that I was not a Party in.)

P. 41. l. 20. *Starkey*. If I was there, sure there was some body else besides my self, I did not say Mass alone; produce but one Witness for you, then I'll submit.

P. 44. l. 28. *Anderson*. I can say this, I would have gone out of *England*, but the King kept me here, telling me, I should not go; and I had a Protection from the Council-Board: The Bishop of *London*, when I was taken first, sent a Letter to Sir *Clement Armiger*, that neither I nor my Books should be medled with, that I had written for the King and the Government, for which he conceived I might be excommunicated at *Rome*, and that I was then under a special Protection of his Majesty and Council; and when I was again taken and put in custody of the Horse-Guard, the Duke of *Monmouth* sent Sir *Thomas Armstrong* to have me freed again; I begg'd of the King that I might go, said I, I won't expose the King to the worst of Rabbles; but he told me, I should stay in *England*; and Mr. *Peter Welfs* and I had Orders from the Council, he one and I another, to stay:

P. 48. l. 38. *Parry*. What have I to say for my self? I have this to say, That those that did depose against me, did not say one word of truth as to their Allegations, I take God to witness for it; I am a dying man, and thank most heartily the Court for what they are to pronounce against me, and I am as ready to suffer, as any man may be to have me to suffer, for it is God's Glory, and his Cause. Then I insisted upon two parts, and complain'd, First, Of Sir *William Turner*, that being brought before him by Mr. *Prance*, and shewing him my Protection under an Ambassador, and I professing my self a *Frenchman*, he slighted it, which I held to be a manifest breach against the Law of Nations: Secondly, I was wronged by Sir *William Waller*, when (in his Examination of me with Justice *Warcup*) in the Press-yard, *Newgate*, he threatned me with Irons, &c. if I did not take my Oath I was not born in *France*, and I refusing, (which none could be compelled to) for 'twas my Opponents part to prove the contrary; and who can prove me to be other than a *Frenchman*?

Mr. Recorder. No body can; we believe you to be an *Englishman*.

Parry. If I be a *Frenchman*, I am not subject to the penal Laws.

P. 49. l. 21. *Starkey*. In the first place, Mr. Recorder, here is the man (pointing at Mr. *Prance*) hath sworn two lyes at one breath:

P. ibid. l. 31. *Starkey*. Because there are hundreds, perhaps thousands, that have suffered death for it.

P. 80. l. 1. *Starkey*. I was threatned my life and liberty by the Plotters:

P. ibid. l. 13. He took me in his Arms, and told me, you are welcome:

P. ibid. l. 26. *Starkey*. Mr. Recorder, I have wish'd an 100 times, and wish now, that if there were any Commissions, as is pretended, the first that had deliver'd one to me, should never have deliver'd a second; for I would either have brought him to justice, where he should receive his reward, or else I would have kill'd him in the place: Tell the King, Mr. Recorder, that I say so.

P. ibid. *Starkey*. If the King does not own what I told you, then count me the greatest Knave that ever you spoke withal.

P. 81. l. 11. Mr. Recorder. Mr. *Starkey*, What can you say for your self?

Mr. *Starkey*. Mr. Recorder, I have here (plucking it out of his Pocket) his Majesty's gracious Pardon, of the 25th year of his Reign:

Mr. Recorder. I allow that, but you have stay'd here since:

Starkey. Why then, Mr. Recorder, pray will you advise me what to have done? Nature teacheth all men to shun danger, for I was threatned with Life, &c. if I stay'd in *France*; whether should I stay there, or return to my native Country with my King? Now, Mr. Recorder, I desire to know what you would have had me done?

Mr. Recorder. I shall acquaint the King, and will do you all the kindness I can with him:

P. 83. l. 13. *Starkey*. Mr. Recorder, Give me leave to speak one word: If any one should have held to me that Position, that it is lawful to depose and murder Kings, I would have kill'd him in the place: Tell the King, Mr. Recorder, I say so:

P. 83. Mr. *Anderson*. It is my comfort, that no one of common sense can believe it:

After the Sentence was pronounc'd;

Parry. *Te Deum laudamus, & te Dominum confitemur.*

FINIS.